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Report Highlights:

This report outlines Philippine government requirements for the importation of livestock, poultry and their products. The report aims to assist U.S. exporters by providing information on labeling, packaging, permitted ingredients and other relevant information. It also provides points of contact for key Philippine government authorities, U.S. government and trade associations.

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PHILIPPINES: FOOD AND AGRICULTURAL IMPORT REGULATIONS AND STANDARDS (FAIRS)**DISCLAIMER**

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Manila, Philippines for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in preparation of the report, information provided may no longer be complete nor as precise as some import requirements are subject to frequent changes. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through their foreign importer before the sale conditions are finalized. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Please contact this office if you have any comments, corrections or suggestions. The e-mail address is agmanila@usda.gov.

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I. FOOD LAWS

The two main agencies tasked with developing and enforcing food safety standards in the Philippines are the Bureau of Food and Drugs (BFAD) under the Department of Health (DOH), and the Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the Department of Agriculture (DA). Under the Food, Drug and Cosmetics Act, BFAD was made responsible for the safety of processed food products while the Agriculture and Fisheries Modernization Act (AFMA) made BAFPS accountable for fresh and primary agricultural and fisheries products.

Regulatory Agencies: A number of different regulatory bodies exist in the Philippines and these are often supported by specialist commissions, which focus on specific technical matters such as meat inspection. The main regulatory body monitoring the safety aspects of imported meat and poultry products are the Bureau of Animal Industry (BAI) under the jurisdiction of DA.

Republic Act No. 3639 (RA 3639) established the BAI and empowered it to prescribe standards for quality in the manufacture, importation, labeling, advertising, distribution and sale of livestock, poultry, meat products, dairy products and animal feeds and veterinary supplies in the country. The BAI is also charged with preventing, controlling, containing and eradicating communicable animal disease by regulating the flow of animals and animal products in the country.

Presidential Decree No. 7 (PD 7) authorizes the National Meat Inspection Commission (NMIC) to implement policies and procedures governing post production flow of livestock, meat and meat products both locally produced and imported through the various stages of marketing. The NMIC supervises the operations of abattoirs and meat establishments and conducts ante- and post-mortem inspections of meat. The Meat Import/Export Services of the NMIC ensures that imported or exportable meat and meat products are produced under acceptable conditions and systems.

In June 2004, Republic Act 9296 (RA 9296) otherwise known as the National Meat Inspection Code was signed into law and its Implementing Rules and Regulations (IRR) were issued in October 2005. The law, which transfers certain NMIC functions to the Local Government Units, was crafted to harmonize Philippine meat inspection laws with international standards to enable the domestic meat processing industry to participate in global trade. Moreover, the NMIC was officially renamed the National Meat Inspection Service (NMIS).

BAI is charged with regulating the flow of domestic and imported animals and animal products in the country; while NMIS ensures that imported or exportable meat and meat products are produced under acceptable conditions and systems.

Import Regulations: All imported meat and poultry products are required to comply with the Philippine food safety and animal health regulations. In general, none of these products is allowed to enter the Philippines if it is deemed to pose a danger to human life or animal well-being. All meat and poultry products that enter the Philippines are required to pass through procedures designed to ensure that they are not contaminated with any disease and that they are fit for their intended use.

At present, national microbiological standards for food as well as animal health standards have not yet been established. Philippine food regulations are thus patterned after CODEX Alimentarius Commission while Philippine animal health regulations generally follow OIE guidelines and recommendations.

The health and phytosanitary regulations and procedures applied on imported agriculture and food products are broadly similar for all types of products. Under Philippine import laws, it is the responsibility of the importer to ensure that any product entering the country's customs territory is in full compliance with Philippine regulations. The enforcing authorities will check for compliance by inspecting the goods and relevant import/export documentation and decide on whether the goods may enter the Philippines.

In cases of non-compliance, the goods may be required to be treated before being released or they may be rejected and ordered destroyed or disposed of outside the Philippines. It is therefore very important that importers and exporters ensure that compliance is achieved before the goods are shipped to the Philippines.

II. FOOD LABELING

Labeling standards that are used in the United States are generally acceptable, and are widely used by Philippine food manufacturers involved in supplying both the local and export markets. Local regulations do, in some cases, require different labeling content for a small number of products. These include prepackaged processed meats, which are covered by specific labeling regulations that have been developed by BFAD.

The following information is required to be on the labels of imported food products:

1. Name of the food;
2. List of ingredients used in the product (in decreasing order of proportion), including additives, flavorings and preservatives used;
3. Net contents and drained weight;
4. Name and address of manufacturer/packer or distributor, including country of origin for imported products and name and the address of Philippine importer/distributor;
5. Lot identification.

Nutritional and Health Claims and Advertising: The label of food that is marketed for special dietary uses, e.g., diabetic foods, must include information concerning its vitamin, mineral and other dietary properties as required by the BFAD, and in a manner that fully informs purchasers of the product's intrinsic value in terms of its special use.

BFAD has the authority to prescribe general standards and guidelines for food advertisements. It is also responsible for monitoring and ascertaining the veracity of nutritional and medicinal claims in food advertisements in the various media. BFAD may call upon any manufacturer, distributor, or advertiser to desist from inaccurate or misleading nutritional or medicinal claims in their advertisement.

Should any food manufacturer, distributor or advertiser refuse or fail to obey the BFAD order to desist from using false claims, it can be assessed penalties under the law and regulations.

Imported Food Products: The BFAD requires that importers provide advance copies of the labels of the food products they intend to import. This information is required for the registration of imported food and drink products. The content of such labels is scrutinized to establish whether it is acceptable under CODEX and BFAD requirements. Nutritional and medical claims made on such labels are one of the factors considered by BFAD when evaluating applications to register foreign products for import into the Philippines, especially Category II products such as food supplements, infant foods and special dietary foods. Products that have labels, which make claims that cannot be easily substantiated, can be banned from entry into the country.

No labeling for biotechnology or organic products is currently required by the Philippine government.

III. PACKAGING AND CONTAINER REGULATIONS

Codex Alimentarius and US FDA regulations serve as the Philippine BFAD's main reference guidelines for policy pertaining to good manufacturing practices and suitability of packaging materials for food use. Hence, compliance with Codex and/or U.S. regulations for packaged foods will almost always assure compliance with Philippine regulations. Importers need, however, to register packaged products with BFAD before they are sold at retail outlets (see Section VI).

IV. FOOD ADDITIVE REGULATIONS

Food additives must comply with the Philippine Food Act and the regulations that have been established by the BFAD for such products.

Food additives are broadly defined by BFAD as "any substance that becomes a component part of a processed food product or otherwise affects the characteristics of the food product." As such, they include any substance which has a direct or indirect impact on the food as a result of its use in producing, manufacturing, processing and preparing the food product, and in packing, treating, packaging, transporting, and/or holding the food product.

Please see Appendix I of the Philippines FAIRS Country Report (RP6029) for the list of acceptable food additives by BFAD.

V. OTHER REGULATIONS AND REQUIREMENTS

Registration of Processed Food Products: All processed food products offered for retail sale in the Philippines must be registered with BFAD. Registration of imported products may only be undertaken by a Philippine entity, although some documentation and, for certain types of products, samples need to be provided by the exporter. Products have been divided into two categories with distinct sets of registration requirements and procedures.

Category I includes prepared or processed meat and poultry products, while Category II includes food for infants and children; foods for special dietary use; transgenic food products (use of genetic engineering/biotechnology) and; ethnic food products with indigenous ingredient(s) not common in the Philippines.

An application for registration should be filed by the Philippine importer for the importation and distribution/offer for sale of each class per brand of product. Only products with a valid Certificate of Product Registration from BFAD will be allowed for retail sale in the Philippines.

Following are the list of requirements for the registration of food products:

Category I

1. Letter of application for registration from importer/distributor;
2. Accomplished Affidavit of Undertaking, typewritten and notarized;
3. Accomplished product list by product classification, three (3) copies;
4. Valid License to Operate (from BFAD) with name of supplier/source(s) of imported food product;
5. Copy of sales invoice;
6. One sample of each product in commercial presentation and a copy of the label that is in conformance with Codex Labeling Regulations and BFAD requirements. In lieu of product sample, a colored picture of each product may be submitted. A sticker indicating the name and address of the importer must be attached if such information is not printed on the label;
7. Registration fee of Pesos 200 per product.

Category II

1. Letter of application for registration from importer/distributor;
2. Valid License to Operate (LTO) as an importer/distributor (issued by BFAD);
3. Product Information
4. List of ingredients in decreasing order of proportion. For additives with prescribed limit, the amount added must be indicated;
5. Finished product specification (physico-chemical and microbiological);
6. Samples of the product in its commercial presentation for laboratory analysis;
7. Loose label and labeling materials to be used for the products;
8. Estimated shelf-life, parameters used and methods for determining shelf-life;
9. Brief description/flow diagram of the method of manufacture;
10. Certificate of analysis. Include analytical methods used. Additional requirements for food supplements may apply as necessary;
11. Registration fee of Pesos 250 to 1,000 per product plus cost of laboratory analysis.

Laboratory testing by BFAD for products under Category II is mandatory to determine the safety of the product and to assure that there will be no misbranding or adulteration. Products under Category I may be subject to random examination at any time while in the country and the cost of laboratory analysis shall be charged to the importer.

A Certificate of Product Registration (CPR) shall be issued by BFAD and shall be valid for one (1) year. Subsequent renewal of a CPR shall be valid for a period of five (5) years. Cost of renewal ranges from Pesos 1,000 for Category I products to Pesos 5,000 for Category II products and Pesos 5,000 for food supplements and bottled water.

Exporters should also note that a Philippine importer needs to secure a License to Operate (LTO) from BFAD, which is actually a prerequisite for the registration of any food product. The License lists names of foreign suppliers or sources of the products being registered. Thus, the importer is required to obtain from the exporter and submit to BFAD the following: (1) a copy of the Foreign Agency Agreement duly authenticated by the Philippine Consulate in the country of origin and; (2) a Certificate of Status of Manufacture by the exporter issued by the Government Health Agency of the country where the product is manufactured; this should also be authenticated by the Philippine Consulate.

The cost of initial one-year licensing fee is Pesos 4,000. Renewal of License to Operate, valid for two (2) years, is Pesos 8,000.

VI. OTHER SPECIFIC STANDARDS

Import Regulations for Food Products: The Philippines is a signatory to the World Trade Organization and has lifted quantitative restrictions (QRs) on imports of food products except for rice. Tariff-Rate Quotas (TRQs) still remain on a number of sensitive products such as corn, poultry meat, pork, sugar and coffee. Minimum Access Volumes (MAV) has been established for these commodities.

Quarantine clearances that serve as import licenses are required prior to the importation of meat and meat products. All other food product imports do not have licensing requirements except for commodities entering duty-free or subject to an in-quota tariff including chilled or frozen pork and poultry.

In all cases, imported meat and poultry products require a registered importer to be the receiver of the shipment. Consequently, the importer would have to be knowledgeable about the regulations associated with the particular commodity being imported.

Import Regulations for Meat and Meat Products: In September 2005, the DA issued Administrative Order No. 26 (AO 26), which updated its Administrative Order No. 39 (2000) or the "Revised Rules, Regulations and Standards Governing the Importation of Meat and Meat Products into the Philippines." AO 26 reiterates the need for a DA-accredited importer to obtain a Veterinary Quarantine Clearance (VQC) certificate prior to the importation of meat and meat products. A VQC will now be valid for 60 days from the date of issuance, within which the meat or meat products are to be shipped from the country of origin, and may no longer be extended beyond that. A VQC is non-transferable and can only be used by the consignee to whom it was issued. A one shipment/bill-of-lading per VQC issued policy will be strictly adhered to. The complete text of Administrative Order No. 26 may be obtained from: http://www.da.gov.ph/agrilaws/ao_2005/ao_26.pdf

At present, all U.S. meat establishments that are regulated and inspected by the USDA Food Safety and Inspection Service (FSIS) are eligible to export meat and poultry to the Philippines. However, boneless beef, meat products containing boneless beef, and beef offal products must originate from an AMS EV approved establishment to ensure compliance with DA's MO No. 33 provisions (see import regulations for beef & beef products).

There is a great deal of sensitivity in the Philippines about U.S. food products that are packed in cartons with labels indicating shipment to another country. It is recommended that such

markings be covered or removed since the Philippines does not require the cartons to be marked for export to the Philippines.

Import Regulations for Beef and Beef Products: In January 2004, the Philippine Department of Agriculture issued Memorandum Order No. 33 (MO 33), which provided new requirements for beef and beef products imported from the United States. This was in response to the detection of Bovine Spongiform Encephalopathy (BSE) in a single imported dairy cow in the State of Washington in December 2003.

Under MO 33, only beef and beef products meeting the following requirements are allowed:

- 1) Beef must be derived from cattle under 30 months of age.
- 2) Only deboned and deglanded muscle cuts of beef will be allowed entry.
- 3) Beef must come from healthy and ambulatory cattle devoid of nerves and any specified risk materials (SRMs).
- 4) The production or slaughter date of the cattle must be provided on the packaging label.

On June 24, 2005, the DA temporarily suspended issuance of VQCs for beef and beef products from the United States following the confirmation of a second BSE positive cow in the United States. On July 28, 2005, the DA issued Memorandum Order No. 13 (MO 13) lifting the temporary suspension of beef imports from the United States subject to the same requirements as stated in MO 33. The BAI has reiterated that all processed beef products (i.e., corned beef, sausages, etc.) must also be certified as having met the above requirements.

The DA also allows the importation of protein-free tallow with insoluble impurities below 0.15% in weight. Moreover, beef products derived from beef from Australia or New Zealand, must be certified as having been legally imported from said countries. For collagen casings of bovine origin, the BAI requires additional FSIS certification that the product was prepared from hides and skins other than that coming from the head.

A summary of Philippine export requirements for meat and poultry products from the United States may be obtained from:

http://www.fsis.usda.gov/regulations_&_policies/Philippines_Requirements/index.asp

- A. Poultry Products:** All U.S. poultry products must be accompanied by a Meat & Poultry Export Certificate of Wholesomeness (FSIS 9060-5) issued by FSIS.

SPECIFIC CERTIFICATION LANGUAGE REQUIRED

1. **Poultry Feet:** "This certifies that the poultry feet, oil sacs or duck tongues specified above have been processed in compliance with the regulations governing the inspection of poultry and poultry products (9 CFR Part 381) as promulgated by the Secretary of Agriculture, and are sound and adulterated so far as can be determined by external examinations and acceptable for human consumption according to Hongkong standards."
2. **Poultry for Further Processing and Re-export to Japan:** "The meat and meat products described herein were processed under sanitary conditions in accordance with laws and regulations of US laws and regulations and regulations and laws of the US have been deemed to be equivalent to the inspection laws of Japan"

"There have been no outbreaks of fowl pest (fowl plague) for at least 90 days in the United States. Further, in the area where birds for export (meat) were produced (such an area being within a minimum radius of 50 kilometers from the production farm), Newcastle disease, fowl cholera, and other serious infectious fowl diseases, as recognized by the United States, have not occurred for at least 90 days."

- B. Meat and Meat Products:** All U.S. meat and meat products must be accompanied by a Meat & Poultry Export Certificate of Wholesomeness (FSIS 9060-5) issued by FSIS.

SPECIFIC CERTIFICATION LANGUAGE REQUIRED

1. **Beef and Processed Beef Products:** "The meat was derived from cattle less than 30 months."
2. **Tallow:** "The protein-free tallow covered by this certificate has been tested for content of insoluble impurities with the result below 0.15% in weight"
3. **Beef Imported from Australia & New Zealand:** "The beef was derived from beef legally imported into the U.S. from Australia or New Zealand"
4. **Collagen:** "Source cattle should not be older than thirty (30) months, devoid of nerves and other BSE specified risk materials (SRMS); the collagen casing should come from the skin of healthy ambulatory and not downer cattle; and the collagen casing should be prepared from hides and skins, except those coming from the head."
5. **Other Red Meat and Red Meat Products:** No specific language required

Import Regulations for Live Animals: On December 22, 2005, the Philippine DA formally agreed to allow U.S. live breeder cattle imports into the country subject to the terms and conditions specified in the Philippine Import Health Protocol for Live Cattle from the United States, negotiated by the APHIS and the Bureau of Animal Industry. As with meat and meat products, importers are required to obtain a Veterinary Quarantine Clearance (VQC) Certificate from BAI prior to the shipment of animals. Specific import terms and conditions contained in the protocol can be obtained from APHIS Veterinary Services.

The Philippines likewise allows imports of live poultry, swine and their products provided that they are accompanied by a USDA health certificate. Specific Philippine import requirements for live animals and animal products may be obtained from:

<http://www.aphis.usda.gov/vs/ncie/iregs/animals/rp.html>

All live animals from the United States must be accompanied by an APHIS Certificate of Inspection of Export Animals (VS Form 17-37) and a U.S. origin Health Certificate.

1. **Live Horses:** The animals must be accompanied by a U.S. Origin Health Certificate issued by a veterinarian authorized by the U.S. Department of Agriculture (USDA) and endorsed by a Veterinary Services (VS) veterinarian. The certificate shall contain the name and address of the consignor and the consignee and a complete identification of the animals to be exported. Additional information may be obtained from:

http://www.aphis.usda.gov/vs/ncie/iregs/animals/rp_eq.pdf

2. **Live Swine:** The swine must be accompanied by a U.S. Origin Health Certificate issued by a veterinarian authorized by the U.S. Department of Agriculture (USDA) and endorsed by a Veterinary Services (VS) veterinarian. The certificate must provide the names and addresses of the consignor and consignee, the names of the ports of embarkation and destination, complete identification of the animals, and the total number of animals. Additional information may be obtained from:

http://www.aphis.usda.gov/vs/ncie/iregs/animals/rp_po.pdf

3. **Live Cattle:** The cattle must be accompanied by a U.S. Origin Health Certificate issued by a veterinarian authorized by the U.S. Department of Agriculture (USDA) and endorsed by a Veterinary Services (VS) veterinarian. The certificate must provide the names and addresses of the consignor and consignee, the names of the ports of embarkation and destination, complete identification of the animals, and the total number of animals. Additional information may be obtained from:

http://www.aphis.usda.gov/vs/ncie/iregs/animals/rp_hc_cattle_011906.pdf

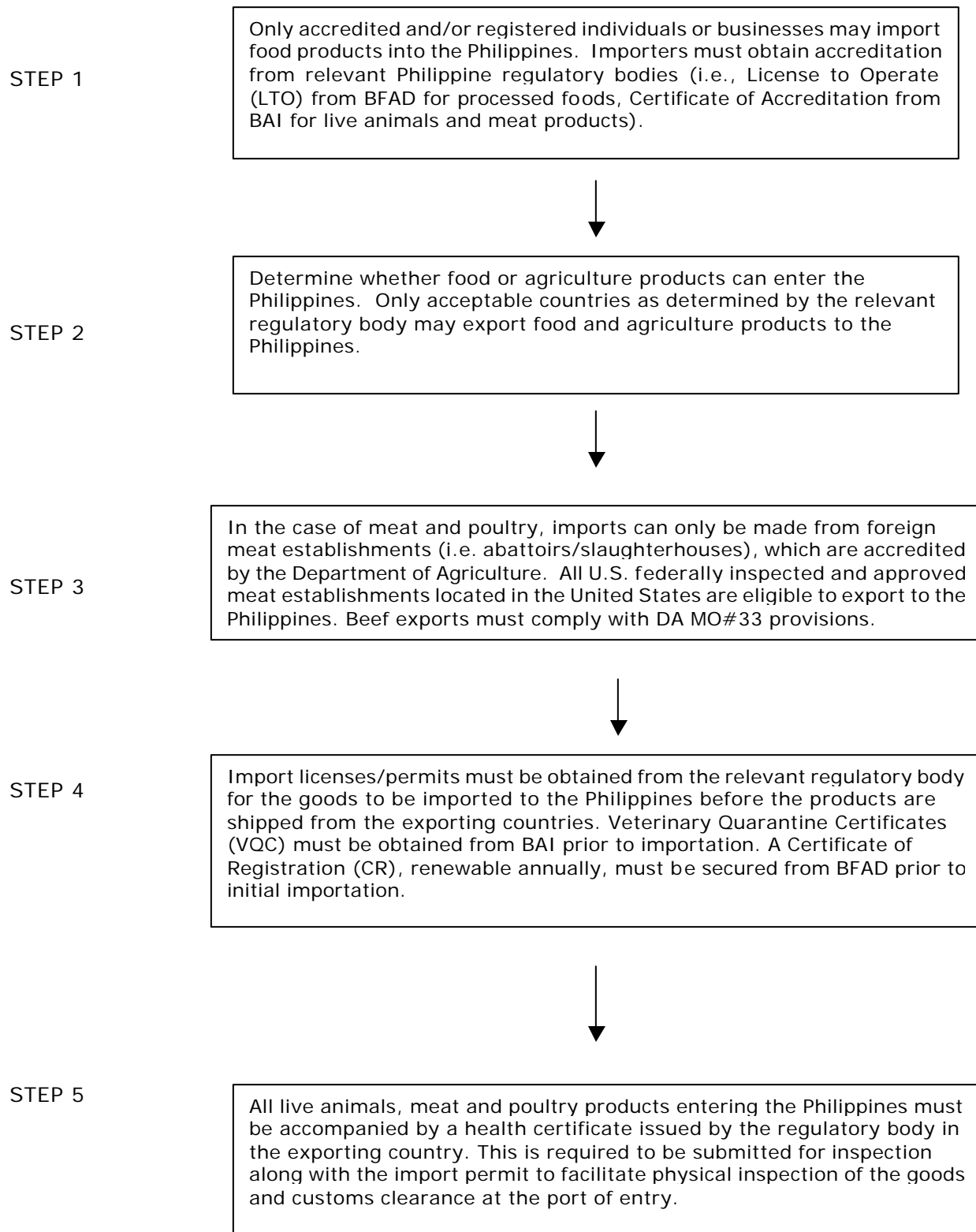
4. **Live Birds/Day-Old-Chicks/Eggs:** All imported fowl, day-old-chicks, eggs and/or hatching eggs should be accompanied by a valid health certificate issued shortly before shipment by the Veterinary Authority at the point of embarkation.

SPECIFIC CERTIFICATION REQUIRED

1. The birds to be exported have been bred, born and raised in the country of origin
2. The birds originated from areas or premises where there has been no clinical evidence of Avian Influenza, Newcastle Disease and Salmonella, Pullorum for the preceeding year. Furthermore there was no sign of these diseases within a 30 km area around the farm.
3. That the domestic poultry are free of any signs of infectious and contagious disease;
4. The domestic poultry are free from and not have been in contact with or exposed to any dangerous and communicable poultry diseases for at least 60 days prior to shipment
5. That no case of Fowl Plague, Newcastle Disease, Avian Encephalomyelitis, Avian Leucosis, Marek's Disease, Infectious Bursal Disease, Duck Virus Enteritis, Duck Virus Hepatitis or any infectious and contagious disease has occurred in the farm of origin for the last six months.
6. The domestic poultry are hatched in an incubator in which no eggs from fumigated flocks have been introduced and hatched and the incubator is fumigated or disinfected prior to set and hatched; and
7. The domestic poultry are packed directly from the incubator into new boxes for export and have no contact with any birds other than the domestic poultry.
8. The eggs come from an accredited pullorum-free flock and from known duck virus hepatitis-free flock.

VII. MEAT & POULTRY IMPORT PROCEDURES

The basic procedures which apply to the import of meat and poultry products are as follows:



Appendix I

AGRICULTURAL AFFAIRS OFFICE (AAO)/USDA
U.S. EMBASSY MANILA
25/F Ayala Life-FGU Bldg.
6811 Ayala Avenue, Makati City
Tel: (+632) 887 1137/53
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ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
U.S. EMBASSY MANILA
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6811 Ayala Avenue, Makati City
Tel: (+632) 840 3276
Fax: (+632) 830 2376
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AGRICULTURAL TRADE OFFICE (ATO)/USDA
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25/F Ayala Life-FGU Bldg.
6811 Ayala Avenue, Makati City
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BUREAU OF ANIMAL INDUSTRY
DEPARTMENT OF AGRICULTURE
BAI Compound, Visayas Avenue
Diliman, Quezon City
Philippines 1104
Tel : (+632) 927 0971/ 926 6883
Fax : (+632) 928 2429
Website : <http://bai.da.gov.ph/baimainframe.html>

BUREAU OF CUSTOMS
VALUATION & CLASSIFICATION DEPARTMENT
DEPARTMENT OF FINANCE
New Customs Building
Port Area, Manila
Philippines 1018
Tel : (+632) 526 6355
Fax : (+632) 527 4573
Website : <http://www.customs.gov.ph/html/cover.htm>

BUREAU OF FOOD AND DRUGS
DEPARTMENT OF HEALTH
Civic Drive
Filinvest Corporate City
Alabang, Muntinlupa City
Philippines 1770
Tel : (+632) 807 0721/ 807 0725
Fax : (+632) 807 0751
Website : <http://www.bfad.gov.ph>

NATIONAL MEAT INSPECTION SERVICE
DEPARTMENT OF AGRICULTURE
Tel : (+632) 924-3118-19 Fax : (+632) 924-7973
Website : <http://nmic.da.gov.ph>

BUREAU OF IMPORT SERVICES
DEPARTMENT OF TRADE & INDUSTRY
3/F Oppen Building
349 Sen. Gil Puyat Avenue
Makati City, Philippines
Tel : (+632) 896 4430
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BUREAU OF INTERNAL REVENUE
DEPARTMENT OF FINANCE
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BUREAU OF INTERNATIONAL TRADE RELATIONS
DEPARTMENT OF TRADE & INDUSTRY
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BUREAU OF TRADE REGULATION & CONSUMER PROTECTION
DEPARTMENT OF TRADE & INDUSTRY
2/F, Trade & Industry Building
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APPENDIX II

PACRIM ASSOCIATES LTD.
(ASEAN Representative for US Dairy Export Council)
The Regent Hotel
155 Rajadamri Road
Bangkok 10330, Thailand
Tel: (662) 251-6127
Fax: (662) 254-6913
Contact: Mr. Dan Fitzgerald, ASEAN Representative

USA POULTRY AND EGG EXPORT COUNCIL
#15-04 Liat Towers, 541 Orchard Road
Singapore 238881
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Fax: (65) 6737-1727
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Email: usapeec_sing@pacific.net.sg

US MEAT EXPORT FEDERATION
#15-03 Liat Towers, 541 Orchard Road
Singapore 238881
Tel: (65) 6733-4255
Fax: (65) 6732-1977
Contact: Mr. Eric Choon, ASEAN Representative
Email: echoon@usmef.com.sg

PHILIPPINE ASSOCIATION OF SUPERMARKETS, INC.
Rm 311, Mariwasa Building
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Quezon City, Philippines
Tel: (632) 363-4563
Fax: (632) 456-3855
Contact: Mr. Jose Albert, President

MEAT IMPORTERS AND TRADERS ASSOCIATION
91-95 Panay Ave.
Quezon City, Philippines
Tel: (632) 372-3944 to 48
Fax: (632) 372-3253
Contact: Mr. Jess Cham, President

HOTEL AND RESTAURANT ASSOCIATION OF THE PHILIPPINES
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San Juan, Metro Manila
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Fax: (632) 721-2385
Contact: Mr. Felix O. Tiukinhoy, President

PHILIPPINE PET FOOD IMPORTERS ASSOCIATION
1313 M. Adriatico St., Ermita, Manila
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Fax: (632) 526 1090
Contact: Mr. Eduardo L. Legarda